

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

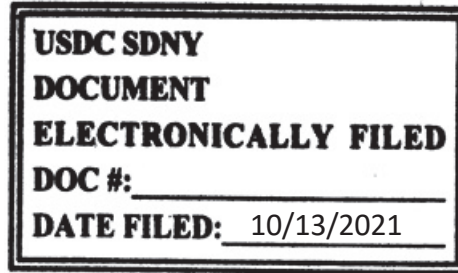
Stewart M. Smith,

Plaintiff,

-against-

AECOM Tishman et al.,

Defendants.



1:21-cv-02915 (PGG) (SDA)

ORDER

**STEWART D. AARON, United States Magistrate Judge:**

It is hereby Ordered that Plaintiff's request for an extension of time to serve Defendants with the Complaint (*see* Letter, ECF No. 12) is GRANTED IN PART, as set forth below. *See* Fed. R. Civ. P. 4(m); *see also Zapata v. City of New York*, 502 F.3d 192, 196 (2d Cir. 2007) (district courts have discretion to grant extensions of service period).

The deadline for Plaintiff to serve the corporate defendants—AECOM Tishman and Tishman Construction Corporation—is extended until November 12, 2021. No later than November 15, 2021, Plaintiff shall file proof of service on the docket. Plaintiff is reminded that service of a domestic corporation may be effected, *inter alia*, by following "state law for serving a summons in an action . . . in the state where the district court is located or where service is made." Fed. R. Civ. P. 4(h)(1)(A). Under the law of New York, "[p]ersonal service upon a corporation or governmental subdivision shall be made by delivering the summons . . . upon any domestic or foreign corporation, to an officer, director, managing or general agent, or cashier or assistant cashier or to any other agent authorized by appointment or by law to receive service." N.Y. C.P.L.R. § 311(a)(1). Moreover, "it is a corporation's obligation to keep on file with the Secretary of State the current address of an agent to receive service of process[.]" *King v. Regen*

*Med. Mgmt., LLC*, No. 20-CV-06050 (AJN), 2021 WL 4066598, at \*3 (S.D.N.Y. Sept. 7, 2021). Accordingly, an additional thirty days is sufficient time for Plaintiff to serve the corporate defendants using the information available on the New York Department of State website. See Corporation and Business Entity Database, <https://apps.dos.ny.gov/publicInquiry/#search>.

The deadline for Plaintiff to serve the individual defendants—Robert Holt, Mark Anthony Fleming and Harold Blake—is extended until December 13, 2021. The Court notes that, to the extent that these individuals are or were employees of the corporate defendants, the corporate defendants may agree to accept service on their behalf or may have information regarding their last known addresses.

**SO ORDERED.**

DATED: New York, New York  
October 13, 2021

A handwritten signature in black ink, appearing to read "Stewart D. Aaron", written over a horizontal line.

STEWART D. AARON  
United States Magistrate Judge